

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 4:09cr9HTW-LRA

MARCUS THORNTON

AMENDED PRELIMINARY ORDER OF FORFEITURE

Presently, there is a motion to amend the Agreed Preliminary Order of Forfeiture pending before the court. The motion seeks to correct the erroneous serial number TBU0367 to the correct serial number of TBU20937. The motion was filed using the ECF system which sent notification of such filing to the appropriate counsel in this case. More than (10) days have passed with no response to the motion. Therefore, the motion is unopposed and the amendment sought by that motion is proper and should be allowed.

It is, therefore, ORDERED and ADJUDGED as follows:

1. The Agreed Preliminary Order of Forfeiture entered herein on July 21, 2009 is hereby amended in order to change the subject property to reflect the correct serial number:

One (1) Taurus pistol, Model PT-111, 9MM, serial number TBU20937

2. The United States Attorney is directed to immediately commence the ancillary proceedings by causing to be published notice of the order and its intent to dispose of the property in such a manner as the United States Attorney General may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the Subject Property. Rule 32.2(c)(1).

3. Further, pending completion of the said ancillary proceeding or further order of the Court, the United States Marshal Service or any other federal law enforcement agency is directed hereby to forthwith take and/or maintain possession of the above described property, or such thereof as is deemed desirable or available for seizure, and to make return of this action to the Court.

4. All findings and adjudications of the original Agreed Preliminary Order of Forfeiture and Memorandum of Understanding are incorporated herein by reference.

SO, ORDERED AND ADJUDGED this 5th day of April 2010.

s/ HENRY T. WINGATE

CHIEF JUDGE
UNITED STATES DISTRICT COURT